

REMARKS

By this Amendment, Fig. 2 is amended, claims 1, 10, 11, 13 and 15 are amended, claim 12 is canceled and new claims 16-18 are added. Accordingly, claims 1-11 and 13-18 are pending in this application. No new matter is presented in this Amendment.

Applicants gratefully acknowledge the indication that claims 8 and 9 are allowed and that claims 3, 5, 7, 12, 13 and 15 contain allowable subject matter.

The Office Action objects to Fig. 2 based upon informalities. Fig. 2 is amended to obviate the objection. Specifically, Fig. 2 is amended to include the reference number "30" for the polarization mode compensator, as disclosed in the specification. Accordingly, withdrawal of the objection to the drawings is respectfully requested.

The Office Action rejects claims 1, 2, 4, 6, 10, 11 and 14 under 35 U.S.C. §102(e) over U.S. Patent No. 6,728,491 to Ooi et al. ("Ooi"). This rejection is respectfully traversed.

Independent claim 1 recites, *inter alia*, a method for compensating polarization mode dispersion, whereby output of the optical signal is maximized through rotation of a plane of polarization of the optical signal. Ooi does not disclose, teach or suggest this feature.

Ooi discloses, for example, in Fig. 1 and at line 46, column 15 - column 16 line 65, a polarization-mode dispersion compensator that operates according to a method comprising detecting a first specific frequency component mode, a first intensity detecting step, and a polarization-mode dispersion controlling step, such that the intensity of the first specific frequency component detected at the first intensity detecting step becomes the maximum. Thus, according to Ooi, the intensity of the first specific frequency can be maximized by controlling the polarization-mode dispersion quantity, not through rotation of a plane of polarization of the optical signal. Nowhere does Ooi disclose, teach or suggest rotating the plane of polarization of the optical signal, as recited in independent claim 1.

Accordingly, since Ooi does not disclose, teach or suggest each and every feature recited in claim 1, the rejection of claim 1 under 35 U.S.C. §102(e) is improper. Applicants respectfully submit, therefore, that independent claim 1 is patentable over Ooi.

Claims 2, 4 and 6 depend from independent claim 1 and are likewise patentable over Ooi at least for their dependence on claim 1, as well as for additional features they recite. Withdrawal of the rejection over Ooi is respectfully requested.

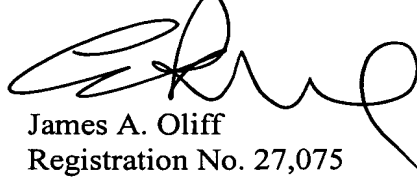
The Office Action indicates that claims 12 would be allowable if rewritten in independent form including all the limitations of base claim 10 and any intervening claims. Claim 10 is amended to include all the features of canceled claim 12. Thus, claim 10 is allowable, and claims 13-15 which depend from independent claim 10 are likewise allowable. Accordingly, withdrawal of the rejection of claims 10 and 14 and the objection to claims 13 and 15 is respectfully requested.

Claim 11 recites a plurality of polarization mode dispersion compensators as recited in claim 10. As such, it is respectfully submitted that claim 11 is also allowable. Withdrawal of the rejection of claim 11 is respectfully requested. New claims 16-18 depend from claim 11 and are likewise allowable.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-11 and 13-18 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Eliot R. Malamud
Registration No. 51,989

JAO:ERM

Attachment:
Replacement Sheet

Date: April 1, 2005

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

**DEPOSIT ACCOUNT USE
AUTHORIZATION**

Please grant any extension
necessary for entry;

Charge any fee due to our
Deposit Account No. 15-0461

Amendments to the Drawings:

The attached replacement drawing sheet makes changes to Fig. 2 and replaces the original sheet with Fig. 2.

Attachment: Replacement Sheet